

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MYERS DRUG STORE, INC.,</b> <i>dba MYODERM MEDICAL SUPPLY</i> <b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
	:	
	:	
<b>v.</b>	:	<b>No.: 17-cv-5009</b>
	:	
<b>KCBN HOLDING, INC,</b>	:	
<i>fka PROPHARMA GROUP, INC.,</i>	:	
<b>Defendant.</b>	:	

**ORDER**

AND NOW, this 12TH day of February, 2018, IT IS HEREBY ORDERED that a **SETTLEMENT CONFERENCE** in the above-captioned case will be held on **Tuesday, May 1, 2018, at 9:30 A.M.**, before the Honorable Lynne A. Sitarski, United States Magistrate Judge, in Courtroom 3-E, U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106.

- Please notify the Court if settlement is not a real possibility.
- Parties/client representatives with full and complete settlement authority must be physically present for the duration of the conference.<sup>1</sup> **Full and complete authority means the party must possess authority consistent with the most recent demand.**
- Lead Trial Counsel for each party must be physically present at the Conference. Counsel are expected to be fully familiar with the facts of the case, the legal theories supporting their client's claims or defenses, and the procedural posture of the case.
- Please complete the attached settlement conference form and fax it to Chambers (267) 299-5060 on or before **April 24, 2018**. As indicated on the attached form, counsel shall include a synopsis of the case with a discussion of the relevant facts, as well as a brief summary of the legal issues affecting the party's settlement position. The Court anticipates that in most cases, the parties' case summaries will not exceed five (5) pages. The case synopsis should include a candid discussion of the submitting party's strengths and weaknesses in the case.

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<sup>1</sup> Parties include all persons, corporations or other business entities, and insurance companies with an interest in the case, and each entity with an interest in the case must attend the conference. In the case of corporate or other business entities, the corporate official with ultimate settlement authority is required to attend. Where an insurance company is involved, a representative with full and complete settlement authority is also required to attend.

- Counsel are also encouraged to submit a small number of documents that counsel considers **critical to** their client's claims or defenses (by way of example only: the contract at issue, or excerpts therefrom; selected portions of critical medical records; police reports; the "smoking gun" email). Counsel shall not submit more than 20 pages of documents without prior Court approval.
- These submissions are **confidential** and shall be submitted to the Court only.

**Failure to comply with this Order may result in the imposition of sanctions.**

BY THE COURT:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE

COPIES BY ECF:

Christopher Polchin, Esquire  
Patrick L. Abramowich, Esquire  
Aliza R. Karetnick, Esquire  
Simeon S. Poles. Esquire  
Dana J. Ash, Esquire  
Sandra A. Jeskie, Esquire

**CONFIDENTIAL SETTLEMENT CONFERENCE SUMMARY**

Caption: \_\_\_\_\_

DISTRICT COURT JUDGE: \_\_\_\_\_ JURY / NONJURY  
(Circle One)

TRIAL POOL DATE: \_\_\_\_\_

COUNSEL ATTENDING SETTLEMENT CONFERENCE:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Client: \_\_\_\_\_

CLIENT ATTENDING SETTLEMENT CONFERENCE:

Name of Individual with Full and Complete Settlement Authority who will be present at the settlement conference (include company and position where applicable):

\_\_\_\_\_

MOTIONS PENDING:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OTHER RELEVANT MATTERS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PRIOR OFFERS / DEMANDS:

\_\_\_\_\_

ATTACH SYNOPSIS OF CASE (UP TO FIVE [5] PAGES)